

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
-----X  
CARMEN CAMILO,

Plaintiff,

-v.-

11 Civ. 1345 (DAB) (MHD)  
ADOPTION OF REPORT  
AND RECOMMENDATION

COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,

Defendant.

-----X  
DEBORAH A. BATTIS, United States District Judge.

This matter is before the Court upon the May 31, 2013 Report and Recommendation of United States Magistrate Judge Michael H. Dolinger ("Report"). Judge Dolinger's Report recommends for the remand of the case to apply properly the treating-physician rule, develop fully the factual record, and evaluate Plaintiff's credibility. (Report at 42.)

Pursuant to 28 U.S.C. § 636(b)(1)(C), "[w]ithin fourteen days after being served with a copy [of a Magistrate Judge's Report and Recommendation], any party may serve and file written objections to such proposed findings and recommendations . . . ." 28 U.S.C. § 636(b)(1)(C); see also Fed. R. Civ. P. 72(b)(2). The District Court may adopt those portions of the report to which no timely objection has been made, so long as there is no clear error on the face of the record. See 28 U.S.C. § 636(b)(1)(A); Wilds v. United Parcel Serv., Inc., 262 F.Supp.2d 163, 169 (S.D.N.Y.

2003). To date, the Parties have filed no objections to said Report and Recommendation.

Having reviewed the Report and Recommendation and finding no clear error on the face of the record, see 28 U.S.C. § 636(b)(1)(A), it is hereby

ORDERED AND ADJUDGED as follows:

1. The May 31, 2013 Report and Recommendation of United States Magistrate Judge Michael H. Dolinger be and the same HEREBY is APPROVED, ADOPTED, and RATIFIED by the Court;

2. Defendant's Motion for Judgment on the Pleadings is hereby DENIED;

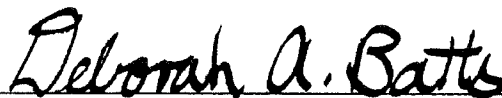
3. Plaintiff's Motion for Judgment on the Pleadings is GRANTED in part and DENIED in part consistent with the reasoning set forth in the Report and Recommendation;

4. The case is REMANDED for further consideration of Plaintiff's application for disability benefits; and

5. The Clerk of the Court is directed to close the docket in this matter.

SO ORDERED.

Dated: New York, New York  
October 2, 2013

  
Deborah A. Batts  
United States District Judge